

No. 24-11996

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

Jane Doe et al.,

Plaintiffs-Appellees,

vs.

Surgeon General, State of Florida et al.,

Defendants-Appellants.

ON APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA

**MOTION FOR LEAVE TO FILE BRIEF OF *AMICI CURIAE*
TRANSSOCIAL, SUNSERVE, SPEKTRUM HEALTH, AND
TRANSGENDER HEALTH EDUCATION NETWORK, IN SUPPORT OF
APPELLEES MOTION TO RECONSIDER AUGUST 26, 2024 ORDER
GRANTING A STAY PENDING APPEAL**

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Docket No. 24-11996

Doe v. Lapado

Certificate of Interested Persons and Corporate Disclosure Statement

Pursuant to Rule 26.1 of the Federal Rules of Appellate Procedure and Rule 26.1-1 of the Rules of the Court of Appeals for the Eleventh Circuit, Baker & McKenzie hereby certifies that *Amici Curiae* Southern Legal Counsel, Inc. are all nonprofits, that do not have a parent corporation, and have no stock. The following is a complete list of all persons and entities known to have an interest in the outcome of this appeal:

1. Abdul-Latif, Hussein, *Amicus*
2. Academic Pediatric Association, *Amicus*
3. Ackerman, Scot, *Defendant*
4. Ahmed, Aziza, *Amicus*
5. Alstott, Anne, *Amicus*
6. American Academy of Child and Adolescent Psychiatry, *Amicus*
7. American Academy of Family Physicians, *Amicus*
8. American Academy of Nursing, *Amicus*
9. American Academy of Pediatrics, *Amicus*
10. American Association of Physicians for Human Rights, Inc., *Amicus*
11. American College of Obstetricians and Gynecologists, *Amicus*

12. American College of Osteopathic Pediatricians, *Amicus*
13. American College of Physicians, *Amicus*
14. American Medical Association, *Amicus*
15. American Pediatric Society, *Amicus*
16. Andersen, Alison, *Counsel for Amicus*
17. Antommaria, Armand, *Dekker Witness*¹
18. Archer, Phil, *Former Defendant*
19. Archer, Phil, *Former Defendant*
20. Aronberg, Dave, *Former Defendant*
21. Association of American Medical Colleges, *Amicus*
22. Association of Medical School Pediatric Department Chairs, Inc.,
Amicus
23. Baker, Kellan, *Dekker Witness*
24. Bakkedahl, Thomas, *Former Defendant*
25. Barsoum, Wael, *Defendant*
26. Bartlett, Bruce, *Former Defendant*

¹ Pursuant to the District Court Final Order (Doc. 223, at 2-3), the record in this case also relies on the “evidence presented during the trial of a separate case in this court with overlapping issues, *Dekker v. Weida*, No. 4:22cv325-RH-MAF.” The *Dekker* case is on appeal in this Court. 23-12155.

27. Basford, Larry, *Former Defendant*
28. Beato, Michael, *Counsel for Defendants*
29. Bell, Daniel, *Former Counsel for Defendants*
30. Benson, Matthew, *Defendant*
31. Biggs, Michael, *Dekker Witness*
32. Blickenstaff, David, *Counsel for Amicus*
33. Boe, Bennett, *Former Plaintiff*
34. Boe, Brenda, *Former Plaintiff*
35. Brackett, John Matthew, *Dekker Witness*
36. Bridges, Khiara, *Amicus*
37. Brodsky, Ed, *Former Defendant*
38. Bruggeman, Brittany, *Witness*
39. Bruno, Nichole, *Plaintiff Gavin Goe's Doctor*
40. Campbell, Jack, *Former Defendant*
41. Cantor, James, *Dekker Witness*
42. Chriss, Simone, *Counsel for Plaintiffs*
43. Clemens, Jonathan, *Witness*
44. Coe, Carla, *Former Plaintiff*
45. Coe, Christina, *Former Plaintiff*
46. Coffman, Gregory, *Defendant*

47. Cohen, David, *Amicus*
48. Cohen, I. Glenn, *Amicus*
49. Creegan, Chris, *Defendant*
50. Cruz Evia, Rebecca, *Former Plaintiff*
51. Cryan, Michael, *Counsel for Amicus*
52. Dalton, Ann, *Dekker Witness*
53. Dandeneau, Debra, *Counsel for Amicus*
54. Dekker, August, *Dekker Plaintiff*
55. Derick, Amy, *Defendant*
56. Di Pietro, Tiffany, *Defendant*
57. Diamond, David, *Defendant*
58. Doe, Jane, *Plaintiff*
59. Doe, Susan, *Plaintiff*
60. Doe, Jane, *Dekker Plaintiff*
61. Doe, John, *Dekker Plaintiff*
62. Doe, Susan, *Dekker Plaintiff*
63. Donovan, Kevin, *Dekker Witness*
64. Ducatel, Watson, *Defendant*
65. Dunn, Chelsea, *Counsel for Plaintiffs*
66. Durrett, John, *Former Defendant*

67. Edmiston, Kale, *Dekker Witness*
68. Endocrine Society, *Amicus*
69. English, Jeffrey, *Dekker Witness*
70. Erchull, Christopher, *Counsel for Plaintiffs*
71. Florida Agency for Healthcare Administration, *Dekker Defendant*
72. Florida Board of Medicine, *Former Defendant*
73. Florida Board of Osteopathic Medicine, *Former Defendant*
74. Florida Chapter of the American Academy of Pediatrics, *Amicus*
75. Foe, Fiona, *Former Plaintiff*
76. Foe, Freya, *Former Plaintiff*
77. Fox, Amira, *Former Defendant*
78. Galarneau, Charlene, *Amicus*
79. Garcia, Maria, *Defendant*
80. Ginsburg, Maya, *Counsel for Plaintiffs*
81. Gladson, William, *Defendant*
82. Goe, Gavin, *Plaintiff*
83. Goe, Gloria, *Plaintiff*
84. Goldberg, Noah, *Counsel for Amicus*
85. Goodman, Kenneth, *Witness*
86. Grossman, Joanna, *Amicus*

87. Grossman, Miriam, *Dekker Witness / Third-party*
88. Haas, Brian, *Former Defendant*
89. Hamel, Lucien, *Plaintiff*
90. Hart, Joseph, *Former Counsel for Defendants*
91. Hartnett, Kathleen, *Counsel for Amicus*
92. Helstrom, Zoe, *Counsel for Amicus*
93. Hinkle, Robert, *U.S. District Court Judge*
94. Hruz, Paul William, *Dekker Witness*
95. Hunter, Patrick, *Defendant*
96. Hutton, Kim, *Dekker Witness*
97. Ikemoto, Lisa, *Amicus*
98. Isasi, William, *Counsel for Amicus*
99. Jackson, Valerie, *Defendant*
100. Jacobs, Arthur, *Counsel for Former Defendants & Defendant*
101. Janssen, Aron Christopher, *Dekker Witness & Witness*
102. Jazil, Mohammad, *Counsel for Defendants*
103. Justice, Nicole, *Defendant*
104. K.F., *Dekker Plaintiff*
105. Kaliebe, Kristopher Edward, *Dekker Witness*
106. Kamody, Rebecca, *Amicus*

107. Kang, Katelyn, *Counsel for Amicus*
108. Karasic, Dan, *Dekker Witness & Witness*
109. Kirsh, William, *Defendant*
110. Kramer, Brian, *Former Defendant*
111. Kuper, Laura, *Amicus*
112. Ladapo, Joseph, *Defendant*
113. Ladue, Jade, *Dekker Plaintiff*
114. Langford, Vernon, *Witness*
115. Lannin, Cortlin, *Counsel for Amicus*
116. Laidlaw, Michael, *Dekker Witness*
117. Lappert, Patrick, *Dekker Witness*
118. Larizza, R.J., *Former Defendant*
119. Levi, Jennifer, *Counsel for Plaintiffs*
120. Levine, Stephen, *Dekker Witness & Witness*
121. Loe, Linda, *Former Plaintiff*
122. Loe, Lisa, *Former Plaintiff*
123. Lopez, Susan, *Former Defendant*
124. Lynch, Myles S., *Counsel for Defendants*
125. Madden, Ginger, *Former Defendant*
126. Mandelbaum, Sara, *Counsel for Plaintiffs*

127. Manian, Maya, *Amicus*
128. Marstiller, Simone, *Dekker Former Defendant*
129. McNamara, Meredith, *Amicus*
130. Minter, Shannon, *Counsel for Plaintiffs*
131. Mondry, Emily, *Counsel for Amicus*
132. Moody, Ashley, *Former Defendant*
133. Mor, Yuval, *Counsel for Amicus*
134. Mortensen, Monica, *Defendant*
135. Nangia, Geeta, *Dekker Witness*
136. National Association of Pediatric Nurse Practitioners, *Amicus*
137. Nelson, Melissa, *Former Defendant*
138. Noel, Olivia, *Former Plaintiff*
139. Oberman, Michelle, *Amicus*
140. Olson-Kennedy, Johanna, *Dekker Witness*
141. Pages, Luz, *Defendant*
142. Patel, Ami, *Counsel for Plaintiffs*
143. Pediatric Endocrine Society, *Amicus*
144. Peral, Stephanie, *Former Counsel for Plaintiffs*
145. Percival, James, II, *Counsel for Defendants*
146. Perko, Gary, *Counsel for Defendants*

147. Pimentel, Eleonor, *Defendant*
148. Poe, Patricia, *Former Plaintiff*
149. Poe, Paul, *Former Plaintiff*
150. Pope, Kai, *Former Plaintiff*
151. Popkin, Kelly Jo, *Counsel for Plaintiffs*
152. Pratt, Joshua, *Former Counsel for Defendants*
153. Pryor, Harold, *Former Defendant*
154. Purvis, Dara, *Amicus*
155. Rebouche, Rachel, *Amicus*
156. Redburn, Thomas, Jr., *Counsel for Plaintiffs*
157. Roman, Sven, *Witness*
158. Romanello, Nicholas, *Defendant*
159. Rothstein, Brit, *Dekker Plaintiff*
160. Rundle, Katherine, *Former Defendant*
161. Schechter, Loren, *Dekker Witness & Witness*
162. Scott, Sophie, *Dekker Witness*
163. Shumer, Daniel, *Dekker Witness & Witness*
164. Silbey, Jessica, *Amicus*
165. Silverman, Lawrence, *Counsel for Plaintiffs*
166. Societies for Pediatric Urology, *Amicus*

167. Society for Adolescent Health and Medicine, *Amicus*
168. Society for Pediatric Research, *Amicus*
169. Society of Pediatric Nurses, *Amicus*
170. Spektrum Health, Inc., *Amicus*
171. Stafford, William, III, *Counsel for Defendants*
172. Starr, Jason, *Counsel for Plaintiffs*
173. Stoll, Christopher, *Counsel for Plaintiffs*
174. SunServe, *Amicus*
175. Szilagyi, Nathalie, *Amicus*
176. Transgender Health Education Network, *Amicus*
177. TransSocial, *Amicus*
178. Ulrich, Michael, *Amicus*
179. Van Meter, Quentin, *Dekker Witness*
180. Van Mol, Andre, *Dekker Witness*
181. Vazquez, Paul, *Witness*
182. Veroff, Julie, *Counsel for Amicus*
183. Veta, D. Jean, *Counsel for Amicus*
184. Vigil, Anegla, *Counsel for Amicus*
185. Vila, Hector, *Defendant*
186. Ward, Dennis, *Former Defendant*

187. Wasylik, Michael, *Defendant*
188. Weaver, Cynthia, *Counsel for Plaintiffs*
189. Weida, Jason, *Dekker Defendant*
190. Whitaker, Henry, *Counsel for Defendants*
191. Williams, Gregory, *Defendant*
192. Witthoeft, Emily, *Counsel for Defendants*
193. World Professional Association for Transgender Health, *Amicus*
194. Worrell, Monique, *Former Defendant*
195. Zachariah, Zachariah, *Defendant*
196. Zanga, Joseph, *Dekker Witness*

/s/ Angela C. Vigil

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**MOTION FOR LEAVE TO FILE BRIEF OF AMICI CURIAE
TRANSSOCIAL, SPEKTRUM HEALTH, INC., TRANSGENDER HEALTH
EDUCATION NETWORK, AND SUNSERVE IN SUPPORT OF
APPELLANTS AND AFFIRMING THE DISTRICT COURT'S
PRELIMINARY INJUNCTION**

NOW COMES, Amici Curiae, TransSocial, Spektrum Health, Inc., Transgender Health Education Network, and SunServe, by and through its counsel, BAKER & MCKENZIE LLP, and hereby submits, pursuant to Federal Rule of Appellate Procedure 29(b), its Motion for Leave to File Brief of Amici Curiae in Support of the Appellee's Motion for Reconsideration of August 26, 2024, Order Granting A Stay Pending Appeal. In support of its Motion, TransSocial, Spektrum Health, Inc., Transgender Health Education Network, and SunServe states as follows:

I. IDENTITY AND INTEREST OF AMICI CURIAE

TransSOCIAL is a nonprofit organization located in Miami, FL, that advocates for the transgender community in South Florida while simultaneously serving the LGBTQ+ community at large. Focused mostly on the "T" in LGBTQ+, TransSOCIAL is aware of the adversity the transgender community faces in Florida. To this end TransSOCIAL provides legal resources like legal assistance with insurance denials, mental health referrals, name change guides, estate planning, and wage theft.

SPEKTRUM Health is a nonprofit organization located in Orlando, FL, that serves the LGBTQ+ community in the Greater Orlando area and nationwide using virtual health services. SPEKTRUM Health's mission is to provide top quality comprehensive primary healthcare options for LGBTQ+ individuals. SPEKTRUM provides some very necessary medical services in the LGBTQ+ community including primary care, mental health counseling, HIV treatment and prevention, gender affirming treatment (GAT), Med-Psych management, and other STI treatment and prevention.

Transgender Health Education Network ("THEN") is a non-profit organization that serves the greater North Central Florida region, bringing together a network of healthcare providers that share the goal of offering informed and compassionate care to Transgender and Gender Diverse individuals. Quality affirming healthcare is challenging to access for Transgender and Gender Diverse individuals, especially in rural areas like North Central Florida. THEN seeks to address inequities in access to care by identifying affirming and informed healthcare providers and linking those providers to a network of like-minded colleagues. THEN also aims to provide up-to-date continuing education in transgender healthcare.

SunServe is a nonprofit organization located in Wilton Manors, FL, advocating for the entire LGBTQ community in South Florida. SunServe's mission is to provide critical life assistance and professional mental health services with an emphasis on

economically disadvantaged, marginalized youth, adults and seniors in the greater South Florida metropolitan area. To this end SunServe provides the South Florida LGBTQ+ community with mental health resources, name and gender marker change assistance, HIV/AIDs and PrEP Resources, psychotherapy, hormone replacement therapy, assistance with signing-up for food stamps, employment resources, and helps establish connections with other resources in the community.

II. THE AMICI BRIEF OF TRANSSOCIAL, SPEKTRUM HEALTH, INC., THEN, AND SUNSERVE IS DESIRABLE AND THE MATTERS ASSERTED ARE RELEVANT TO THE DISPOSITION OF THIS CASE

Amici seeks to weigh in on this case because of how the ruling in this case would impact their clients, mission statements, and their ability to provide care and services to the LGBTQ+ community across Florida. In its proposed brief, Amici presents detailed examples of objective discriminatory statements from Florida legislators who sponsored HB 1421, SB 254, and the entire "Let Kids Be Kids" legislative package, that emphasizes the extent to which the State has gone to make Florida an inhospitable environment for transgender Floridians. Amici presents arguments as to how state legislator and the Governor have used their platform to not only call their transgender constituents "demons" and "mutants" but have actively said on the floor of the state legislature that they were open to "erase [the LGBTQ+] community."

Amici also brings to this Court the perspective of numerous healthcare providers, and their clients, in the LGBTQ+ community across Florida. Amici know firsthand what the legal and medical obstacles that their transgender clients encounter on a daily basis, what the needs of the transgender community are in order to overcome those obstacles, and how the enacted legislation would negatively impact the lives of their clients they serve as well as the missions of their respective nonprofit organizations.

WHEREFORE, for the reasons stated herein, TransSocial, Spektrum Health, Inc., THEN, and SunServe respectfully requests that this Court grant its Motion for Leave to File Brief of Amici Curiae TransSocial, Spektrum Health, Inc., THEN, And SunServe in Support of the Appellees Motion for Reconsideration.

Respectfully submitted this 9th day of October, 2024.

Amici Curiae, TransSocial, Spektrum Health, Inc., Transgender Health Education Network, And SunServe

/s/ Angela C. Vigil

Angela C. Vigil
BAKER & MCKENZIE LLP

Attorney for Amici Curiae

CERTIFICATE OF COMPLIANCE

I hereby certify that this Motion complies with the type-volume limitation of Federal Rule of Appellate Procedure 32(a)(7). According to the Microsoft Word Program on which it is written, and excluding the parts of the brief exempted by Federal Rule of Appellate Procedure 32(f), this brief contains 771 words

/s/ Angela C. Vigil

BAKER & McKENZIE LLP
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CERTIFICATE OF SERVICE

I electronically filed the foregoing with the Clerk of Court for the United States Court of Appeals for the Eleventh Circuit on October 9, 2024, by using the appellate CM/ECF system, and service was accomplished on all counsel of record by the appellate CM/ECF system.

/s/ Angela C. Vigil

BAKER & McKENZIE LLP
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